

**United States District Court
for the Northern District of Ohio**

H. Lester Wald,
Rolling Tool Inc and
Tubular Rollers LLC,

Plaintiffs,

v.

Glenn F. Marthey and
Domestic Machine, LLC,

Defendants.

Complaint

1. The Plaintiff Wald is an individual residing in Oklahoma.
2. The Plaintiff Rolling Tool Inc is a corporation organized under Oklahoma law.
3. The Plaintiff Tubular Rollers LLC is a limited liability company organized under Oklahoma law.
4. The Defendant Glenn F. Marthey is an individual residing within this District.
5. The Defendant Domestic Machine, LLC is a limited liability company organized under Ohio law residing within this District.

6. Jurisdiction is based on 28 U.S.C. § 1338(a).

7. United States Patent No. 9,057,224 was issued on June 15, 2015. An accurate copy of this patent is attached as Exhibit A.

8. United States Patent No. 9,291,009 was issued on March 22, 2016. An accurate copy of this patent is attached as Exhibit B.

9. The Plaintiffs Wald and Rolling Tool Inc are joint owners of the patents identified in paragraphs 7 and 8, and are also joint owners of the right to sue for past infringements thereof.

10. At all times material hereto, the Plaintiff Tubular Rollers LLC has been the exclusive licensee of the patents identified in paragraphs 7 and 8.

11. The Defendants, acting in concert, have infringed at least one apparatus claim of each of the patents identified in paragraphs 7 and 8 by making, using, offering to sell and selling tubular rollers. Exhibit C is a collection of images that accurately depict one of these tubular rollers, in a used condition.

12. Recipients of the tubular rollers identified in paragraph 11 have infringed at least one of the method claims of the patent identified in paragraph 7, by using the tubular roller to roll one or more tubulars on a pipe rack at a well site.

13. The Defendants, acting in concert and with knowledge of

the patent identified in paragraph 7, have actively induced the infringement described in paragraph 12. They have done so by manufacturing the tubular rollers identified in paragraph 11 and delivering them to customers, with the knowledge that each tubular roller will be used by a recipient to infringe.

14. The Defendants, acting in concert and with knowledge of the patent identified in paragraph 7, have contributed to the infringement described in paragraph 12. They have done so by selling and offering to sell the tubular rollers identified in paragraph 11. These tubular rollers are a material part of the invention, and are not a staple articles or commodities of commerce suitable for substantial noninfringing use. The Defendants know and have known that these tubular rollers are especially made and especially adapted for use in infringement of the patent.

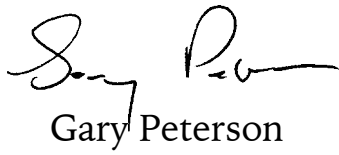
15. The actions described in paragraphs 11, 13 and 14 have been willful.

16. The Plaintiffs have been damaged by the actions described in paragraphs 11, 13 and 14.

The Plaintiffs request awards of damages, increased damages, interest, attorney fees and costs, an injunction against infringement,

active inducement of infringement and contributory infringement, an order directing impoundment and destruction of infringing articles, and of all equipment and materials by means of which such infringing articles may be produced, and such other relief to which Plaintiffs are entitled.

A jury trial is demanded.

A handwritten signature in black ink, appearing to read "Gary Peterson". The signature is fluid and cursive, with the first name "Gary" and last name "Peterson" clearly distinguishable.

Gary Peterson

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